



HOUSE OF REPRESENTATIVES

COMMITTEE ON JUDICIARY

REP. GRAHAM FILLER

CHAIR

COMMITTEE MEETING MINUTES

Tuesday, November 5, 2019

9:00 AM

Room 519, House Office Building

The House Standing Committee on Judiciary was called to order by Chair Filler.

The Chair requested attendance be called:

Present: Reps. Filler, LaFave, Farrington, Howell, Steven Johnson, Rendon, Berman, Wozniak, LaGrand, Guerra, Elder, Yancey, Bolden.

Absent/Excused: None.

Representative Howell moved to adopt the meeting minutes from October 29, 2019. There being no objection, the motion prevailed by unanimous consent.

The Chair laid HB 4712 and HB 4713 before the committee:

HB 4712 (Rep. Johnson) A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 421 (MCL 750.421).

HB 4713 (Rep. Miller) A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16u of chapter XVII (MCL 777.16u), as amended by 2000 PA 279.

Representative Johnson, Sgt. Chris Gerard, representing the Michigan State Police, and Tom Hibiske, representing himself, testified in support of HB 4712. Questions and discussion followed.

The following people submitted a card in support of HB 4712 and HB 4713, but did not wish to

speak:

Brandon Lanyon, representing the Prosecuting Attorneys Association of Michigan.
Charles Stauffer, representing himself.

The following people submitted a card in support of HB 4712, but did not wish to speak:

Charles Chapman, representing the Military Vehicle Collectors Club of Michigan and the Military Vehicle Preservation Association.

William Brenner, representing the Military Vehicle Preservation Association.

Tom Tibortz, representing the Military Vehicle Collectors Club of Michigan and the Military Vehicle Preservation Association.

Bonnie Rathbun, representing the Military Vehicle Preservation Association.

Barb Hibiske, representing the Military Vehicle Preservation Association.

The Chair laid HB 5103 before the committee:

HB 5103	(Rep. Wakeman)	A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 3203 and 3204 (MCL 700.3203 and 700.3204), as amended by 2018 PA 13.
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Representative Wakeman testified in support of HB 5103. Questions and discussion followed.

Tom Howe, representing himself, testified in opposition to HB 5103.

The following people submitted a card in support of HB 5103, but did not wish to speak:

Phil Douma and Cana Garrison, representing the Michigan Funeral Directors Association.

The Chair laid HB 5054, HB 5055, HB 5056, HB 5057 and HB 5058 before the committee:

HB 5054	(Rep. Farrington)	A bill to amend 2014 PA 319, entitled "Sexual assault victim's access to justice act," by amending section 4 (MCL 752.954).
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HB 5055	(Rep. Calley)	A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 15c of chapter IV (MCL 764.15c), as amended by 2001 PA 210.
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HB 5056	(Rep. Pagan)	A bill to amend 1985 PA 87, entitled "William Van Regenmorter crime victim's rights act," by amending sections 2a, 6, and 13a (MCL 780.752a, 780.756, and 780.763a), section 2a as added and section 13a as amended by 2006 PA 461, and section 6 as amended by 2005 PA 184.
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HB 5057 (Rep. Rendon) A bill to amend 1985 PA 87, entitled "William Van Regenmorter crime victim's rights act," by amending sections 61b, 66, and 78a (MCL 780.811b, 780.816, and 780.828a), section 61b as added and section 78a as amended by 2006 PA 461 and section 66 as amended by 2000 PA 503.

HB 5058 (Rep. Bolden) A bill to amend 1985 PA 87, entitled "William Van Regenmorter crime victim's rights act," by amending sections 31a, 36, and 41a (MCL 780.781a, 780.786, and 780.791a), section 31a as added and section 41a as amended by 2006 PA 461 and section 36 as amended by 2000 PA 503.

Representative Pagan testified in support of HB 5054, HB 5055, HB 5056, HB 5057 and HB 5058. Questions and discussion followed.

Kathy Hagenian, representing Michigan Coalition to End Domestic and Sexual Violence, testified with no position on HB 5054, HB 5055, HB 5056, HB 5057 and HB 5058. Questions and discussion followed.

Brandon Lanyon, representing Prosecuting Attorneys Association of Michigan, testified with no position on HB 5054, HB 5055, HB 5056, HB 5057 and HB 5058.

The following people submitted a card in support of HB 5054, HB 5055, HB 5056, HB 5057 and HB 5058, but did not wish to speak:

Joshua B. Hoe, representing Safe and Just Michigan.

Mary Pollock, representing the American Association of University Women.

Sgt. Nicole McGhee, representing the Michigan State Police.

The Chair laid HCR 10 before the committee:

HCR 10 (Rep. Filler) A concurrent resolution to approve the State Officers Compensation Commission determinations.

Chairman Filler testified in support of HCR 10.

The following people submitted a card in support of HCR 10, but did not wish to speak:

Brianna Mills, representing the Michigan Manufacturers Association.

Cami Pendell, representing the State Court Administrative Office.

Wendy Block, representing the Michigan Chamber of Commerce.

Representative Berman moved to report out HCR 10 with recommendation. The motion prevailed 12-1-0.

FAVORABLE ROLL CALL

Yeas: Reps. Filler, LaFave, Farrington, Howell, Rendon, Berman, Wozniak, LaGrand, Guerra, Elder, Yancey, Bolden.

Nays: Rep. Steven Johnson.

Pass: None.

The Chair laid HB 4700 before the committee:

HB 4700 (Rep. Whiteford) A bill to amend 1953 PA 232, entitled "Corrections code of 1953,"(MCL 791.201 to 791.285) by adding section 34e.

Representative Howell moved to report out HB 4700 with recommendation. The motion prevailed 11-0-2.

FAVORABLE ROLL CALL

Yeas: Reps. Filler, LaFave, Farrington, Howell, Steven Johnson, Rendon, Berman, Wozniak, LaGrand, Guerra, Elder.

Nays: None.

Pass: Reps. Yancey, Bolden.

The Chair laid SB 110 before the committee:

SB 110 (Sen. Lucido) A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending section 5306 (MCL 700.5306), as amended by 2004 PA 532.

The following people submitted a card in support of SB 110, but did not wish to speak:

Mary Pollock, representing the State Employee Retirees Association.

The following people submitted a card in opposition to SB 110, but did not wish to speak:

Allison Hirschel, representing the Michigan Elder Justice Initiative.

Tom Howe, representing himself.

Representative Farrington moved to report out SB 110 with recommendation. The motion prevailed 10-2-1.

FAVORABLE ROLL CALL

Yeas: Reps. Filler, Farrington, Howell, Rendon, Berman, Wozniak, LaGrand, Guerra, Elder, Bolden.

Nays: Reps. LaFave, Steven Johnson.

Pass: Rep. Yancey.

At 9:35 AM, the Chair laid the committee at ease.

At 9:39 AM, the Chair called the committee back to order.

The Chair laid SB 70, SB 71, SB 72, SB 73, SB 74, SB 75 and SB 76 before the committee:

- SB 70 (Sen. Johnson) A bill to create the address confidentiality program; to provide certain protections for victims of domestic violence, sexual assault, stalking, or human trafficking and for certain other individuals; to prescribe duties and responsibilities of certain state departments; to require the promulgation of rules; to create a fund; to prohibit the disclosure of certain information and obtaining a certification under this act by fraud; and to prescribe penalties.
- SB 71 (Sen. Barrett) A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 509q, 759, and 761 (MCL 168.509q, 168.759, and 168.761), section 509q as amended by 2012 PA 586 and sections 759 and 761 as amended by 2018 PA 603, and by adding sections 499b and 735a.
- SB 72 (Sen. Johnson) A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1136 (MCL 380.1136), as added by 2016 PA 367.
- SB 73 (Sen. Chang) A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 40b, 307, 310, and 314 (MCL 257.40b, 257.307, 257.310, and 257.314), section 40b as amended by 2012 PA 498, section 307 as amended by 2018 PA 604, section 310 as amended by 2018 PA 177, and section 314 as amended by 2011 PA 159, and by adding section 310f.
- SB 74 (Sen. Geiss) A bill to amend 2008 PA 23, entitled "Enhanced driver license and enhanced official state personal identification card act," by amending section 4 (MCL 28.304), as amended by 2018 PA 47.
- SB 75 (Sen. Theis) A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations;

and to provide an appropriation for certain purposes,” by amending sections 1, 1a, and 2 (MCL 28.291, 28.291a, and 28.292), section 1 as amended by 2018 PA 605, section 1a as amended by 2008 PA 31, and section 2 as amended by 2018 PA 669, and by adding section 2a.

SB 76

(Sen. LaSata) A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 916 and 1307a (MCL 600.916 and 600.1307a), section 916 as amended by 2000 PA 112 and section 1307a as amended by 2012 PA 69.

Senator Johnson testified in support of SB 70, SB 71, SB 72, SB 73, SB 74, SB 75 and SB 76. Question and discussion followed.

Jean Doss, representing Miriam Jane-Black O'Shea, testified in support of SB 70, SB 71, SB 72, SB 73, SB 74, SB 75 and SB 76.

Kathy Hagenian, representing Michigan Coalition to End Domestic and Sexual Violence, testified in support of SB 70, SB 71, SB 72, SB 73, SB 74, SB 75 and SB 76.

Dr. Jacqueline Baugh, representing herself as a survivor and advocate, testified in support of SB 70, SB 71, SB 72, SB 73, SB 74, SB 75 and SB 76.

The following people submitted a card in support of SB 70, SB 71, SB 72, SB 73, SB 74, SB 75 and SB 76, but did not wish to speak:

Brandon Lanyon, representing the Prosecuting Attorneys Association of Michigan.

Stephanie Johnson, representing the Family Law Section, State Bar of Michigan.

Angela Povilaitis, representing the Michigan Domestic and Sexual Violence Prevention and Treatment Board.

Joshua B. Hoe, representing Safe and Just Michigan.

Mary Pollock, representing the American Association of University Women.

The following people submitted a card in support of SB 72, but did not wish to speak:

Jeff Cobb, representing the Michigan Association of School Boards.

The following people submitted a card in opposition to SB 76, but did not wish to speak:

Peter Cunningham, representing the State Bar of Michigan.

There being no further business before the committee, Rep. Graham Filler adjourned the meeting at 9:58 AM.

Representative Graham Filler, Chair

Melissa Sweet

Committee Clerk

msweet@house.mi.gov